

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**
Philadelphia Division

IN RE: EDWARD D. MUSHO	Case No. 21-10986-elf Chapter 13
EDWARD D. MUSHO Movant	
vs.	
WELLS FARGO BANK, N.A., Respondent	

**CONDITIONAL NON-OPPOSITIONAL RESPONSE TO AMENDED MOTION
TO SELL REAL PROPERTY FREE AND CLEAR OF LIENS AND
ENCUMBRANCES**

COMES NOW, Wells Fargo Bank, N.A. ("Respondent"), by and through its undersigned counsel, and hereby responds to Debtor's Amended Motion to Sell Real Property Free and Clear of Liens and Encumbrances (Doc. 65) filed on January 18, 2022 and in support thereof, shows unto the Court as follows:

1. Admitted.
2. Admitted.
3. Admitted.
4. Respondent does not have information necessary to admit or deny the averment in Paragraph 4. Strict proof is demanded at trial.
5. Admitted as per the Sales Agreement attached to the Motion.
6. Admitted.
7. Admitted according to the Sales Agreement provided.

8. Respondent does not have information necessary to admit or deny the averment in Paragraph 8. Strict proof is demanded at trial.

9. Admitted. By way of further answer, this response is regarding Wells Fargo's Proof of Claim 2-1. A Payoff will be provided to Debtor's counsel.

10. Respondent does not have information necessary to admit or deny the averment in Paragraph 10. Strict proof is demanded at trial.

11. Respondent does not have information necessary to admit or deny the averment in Paragraph 11. Strict proof is demanded at trial.

12. No response necessary.

WHEREFORE, Respondent objects to any Order permitting sale of the property without the following:

- a. Respondent's lien is paid in full from the closing proceeds, pursuant to a proper payoff quote obtained prior to and good through the closing date; or
- b. Any short payoff is approved by Respondent; and
- c. Debtor shall have ninety (90) days from entry of the Order to sell the Real Property.

/s/ Andrew Spivack
Andrew Spivack
(Bar No. 84439)
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vs.	
EDWARD D. MUSHO, Debtor	

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a true and exact copy of the foregoing Response to Debtor's Amended Motion to Sell Real Property Free and Clear of Lines and Encumbrances has been electronically served or mailed, postage prepaid on this day to the following:

EDWARD D. MUSHO
95 COBALT RIDGE DR N
LEVITTOWN, PA 19057-1407

BRAD SADEK, Debtor's Attorney
Sadek and Cooper
1315 WALNUT ST STE 502
PHILADELPHIA, PA 19107

KENNETH E WEST, Bankruptcy Trustee
Office of the Chapter 13 Standing Trustee
1234 Market Street - Suite 1813
Philadelphia, PA 19107

United States Trustee, US Trustee
200 Chestnut Street
Suite 502
Philadelphia, PA 19106
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January 26, 2022

/s/ Andrew Spivack

Andrew Spivack

(Bar No. 84439)

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